

Message Text

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FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC 1489
INFO AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
AMEMBASSY TOKYO
HICOM TTPI SAIPAN

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DEPARTMENT PASS TO INTERIOR FOR OMSN AND OTA

HICOM PASS TO STATUS LNO

E.O. 11652: N/A
TAGS: PORG, UNTC, TQ
SUBJECT: 45TH TRUSTEESHIP COUNCIL (TC) SESSION, MAY 19:
QUESTIONS TO PETITIONERS AND THE U.S. DELEGATION

1. SUMMARY: TC QUESTIONING OF PETITIONERS AND US AS
ADMINISTERING AUTHORITY CONCLUDED MAY 19. PRIMARY AREAS
OF INTEREST TO TC MEMBERS WERE THE COMPATIBILITY OF
MICRONESIAN CONSTITUTION AND THE FREE ASSOCIATION
STATUS, TIMING OF IMPLEMENTATION OF AGREEMENT BASED ON
HILO PRINCIPLES, PROCEDURES FOR CONDUCT OF JULY
REFERENDUM ON CONSTITUTION, AND INTERNAL TTPI
ADMINISTRATION AND DEVELOPMENT. TC WILL
RECONVENE TUESDAY, MAY 23.

2. SENATOR TMETCHUL (PALAU POLITICAL STATUS COMMISSION)
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OPENED MAY 19 A.M. TC SESSION WITH BRIEF STATEMENT
RESPONDING TO YESTERDAY'S COMMENTS BY
REPRESENTATIVES OF CONCERNED CITIZENS OF PALAU
AND ASKED PALAU LEGAL COUNSEL TO READ INTO THE RECORD
THE TEXT OF PALAU LEGISLATURE'S JOINT RESOLUTION
115 (MAY 3, 1978) ENDORSING THE HILO DECLARATION.

3. QUESTIONING OF PETITIONERS THEN RESUMED. IN RESPONSE TO A FRENCH INQUIRY, IT WAS EXPLAINED THAT PALAU HIGH CHIEFS IBEDUL AND REKLAI HAVE NO FORMAL RELATIONSHIP TO THE "CONCERNED CITIZENS OF PALAU" ORGANIZATION BUT SHARE ITS VIEWS. UK REP HARDEN RECALLED PAST TC ENDORSEMENT OF MICRONESIAN UNITY AND ASKED DEBRUM, MARSHALL ISLANDS POLITICAL STATUS COMMISSION, TO ELABORATE ON PROSPECTS FOR INTERDISTRICT COOPERATION, PARTICULARLY IN MARINE RESOURCES AREA. DEBRUM SAID THE AREAS IN WHICH THE ALL-MICRONESIAN ENTITY MIGHT BEST FUNCTION HAVE NOT YET BEEN DETERMINED BUT THE MARSHALLS WERE PREPARED TO COOPERATE ON FISHERIES MATTERS. ANSWERING FOLLOW-UP UK QUESTION, DEBRUM SAID THAT WHILE THE MARSHALL ISLANDS SUPPORTED INDEPENDENCE AT LAST YEAR'S TC SESSION, THEY COULD ENDORSE FREE ASSOCIATION THIS YEAR BECAUSE THE HILO DECLARATION WAS CONSISTENT WITH THE PROVISIONS OF GENERAL ASSEMBLY RESOLUTION 1541 (XV).

4. ANSWERING FRENCH REQUEST FOR CLARIFICATION OF HIS STATEMENT YESTERDAY ON INCOMPATIBILITY OF THE MICRONESIAN CONSTITUTION AND THE FREE ASSOCIATION AGREEMENT, DEBRUM SAID THE US WAS TRYING TO MAKE THE BEST OF A BAD SITUATION BY NOW SAYING THE TWO DOCUMENTS WOULD BE COMPATIBLE EVEN THOUGH NOT ONE WORD OF THE CONSTITUTION HAD CHANGED SINCE US HAD SAID THEY WERE FUNDAMENTALLY INCOMPATIBLE. IN THE UNCLASSIFIED

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MARSHALLS' VIEW, IT IS A MATTER OF SPECULATION WHETHER AN INDEPENDENT FEDERATED STATES OF MICRONESIA WOULD RATIFY COMPACT OF FREE ASSOCIATION. USSR ASKED FOR US COMMENTS ON DEBRUM STATEMENT; AFTER SOME PROCEDURAL SPARRING, AMBASSADOR ROSENBLATT RESPONDED BY NOTING THAT CONSTITUTION WOULD PERMIT MICRONESIAN GOVERNMENT TO DELEGATE MAJOR POWERS TO US AND WOULD THUS ALLOW CONSTITUTION AND FREE ASSOCIATION AGREEMENT TO BE BROUGHT INTO HARMONY.

5. TC THEN BEGAN QUESTIONING US AS ADMINISTERING AUTHORITY. USSR ASKED WHAT MECHANISM THE US HAS CREATED TO PROVIDE RESPONSES TO THE MANY WRITTEN PETITIONS AND COMMUNICATIONS RECEIVED BY THE TC. US REP COOKS ASSURED SOVDEL THAT ALL PETITIONS ARE TAKEN SERIOUSLY, ARE APPROPRIATELY RESPONDED TO AND ARE SHARED WITH THE TTPI GOVERNMENT AND LEGISLATURE. HICOM WINKEL ADDRESSED ISSUE OF PALAU SUPERPORT; NMI SENATE PRESIDENT GUERRERO RESPONDED TO FRENCH QUESTION CONCERNING CLAIMS RELATING TO JAPANESE PHOSPHATE EXPLOITATION IN ROTA.

6. DURING PM SESSION, SOVIETS QUESTIONED THE US DELEGATION EXTENSIVELY. THEY NOTED THAT NEITHER THE SECURITY

COUNCIL (SC) NOR THE TC HAD PARTICIPATED IN THE "SECRET" HILO NEGOTIATIONS AND ASKED FOR CLARIFICATION OF THOSE PRINCIPLES, ESPECIALLY REGARDING WHAT FOREIGN AFFAIRS FUNCTIONS WOULD BE GIVEN TO THE MICRONESIANS. THEY ASKED WHETHER MICRONESIA WOULD BECOME INDEPENDENT AND A UN MEMBER AND WHETHER THE US HAD A NEGATIVE VIEW WITH RESPECT TO SC PARTICIPATION IN THE PROCESS OF MICRONESIA'S SELF-DETERMINATION, STATING THAT ANY CHANGE IN THE STATUS OF

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THE TT FELL WITHIN THE SC'S COMPETENCE. NOTING USG POLICY TO TERMINATE THE TRUSTEESHIP BY 1981, THEY ASKED WHETHER US BELIEVED IT HAD FULFILLED ITS OBLIGATIONS UNDER THE TRUSTEESHIP AGREEMENT. THEY ASKED WHETHER THE TRUST TERRITORY CODE WAS COMPATIBLE WITH THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS, QUESTIONED THE US MILITARY PRESENCE IN THE TT AND ASKED WHETHER INFLATION AFFECTED THE TT AS IT CLEARLY AFFECTED THE US. RESPONDING TO QUESTIONS CONCERNING THE NEGOTIATIONS AND FUTURE STATES, AMB. ROSENBLATT SAID NEGOTIATIONS WERE NOT SECRET, HILO PRINCIPLES WERE JUST PRINCIPLES AND DETAILS HAD NOT BEEN WORKED OUT OR INCORPORATED IN A FINAL AGREEMENT. HE FELT IT WOULD BE PRESUMPTUOUS TO COMMENT

FURTHER AT THIS TIME ON A MATTER THAT HAD NOT BEEN
FINALIZED. HE EXPLAINED THE US POSITION WITH RESPECT
TO TC AND SC INVOLVEMENT AND NOTED THE TC WAS DEALING
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WITH A REFERENDUM ON CONSTITUTION, NOT
TERMINATION, AND THE ISSUE WAS WHETHER CONSTITUTION
WOULD BE ADOPTED AS A FORM OF INTERNAL GOVERNMENT.
HE REPORTED ON LIMITED US MILITARY PRESENCE IN THE TT
AND NOTED THAT UNDER ARTICLE 5 OF THE TA THE US WAS
ENTITLED TO SUCH A PRESENCE.

7. HICOM WINKEL RESPONDED TO QUESTIONS ON TT
DEVELOPMENT, GIVING A DETAILED REPORT ON THE GROWING
NUMBER OF MICRONESIANS IN THE LOCAL, DISTRICT AND
CENTRAL ADMINISTRATIONS AND IN THE JUDICIARY. HE
SAID INFLATION DID AFFECT THE TT AS IT DID THE ENTIRE
WORLD BUT RISING FUEL COSTS AND TRANSPORTATION
COSTS ALSO AFFECTED THE TT. HE SAID SALARIES AND INCOME
HAD, FOR THE MOST PART, KEPT PACE WITH INFLATION AND
NOTED THAT US CONGRESSIONAL LEGISLATION ON THE TT
INCLUDED PROVISIONS FOR AUTOMATIC INCREASES TO MATCH
INFLATION. DEPUTY HICOM SABLAN SAID THE TT BILL OF
RIGHTS WAS PATTERNED AFTER THE UNIVERSAL DECLARATION ON
HUMAN RIGHTS AND WAS THEREFORE CERTAINLY COMPATIBLE
WITH INTERNATIONAL HUMAN RIGHTS INSTRUMENTS.

8. THE FRENCH ASKED WHAT PROCEDURES WOULD GOVERN
THE ACTIVITIES ON THE DAY OF THE REFERENDUM, WHAT THE
PROCEDURES WERE FOR DRAWING UP A LIST OF ELEGIBLE VOTERS,
AND WHETHER THERE WAS ANY PROVISION FOR ABSENTEE VOTING.
THEY ASKED WHAT THE US COURSE OF ACTION WOULD BE IF
THE CONSTITUTION WERE REJECTED. THE FRENCH ASKED
ABOUT THE INCREASE OF AGGRAVATED ASSAULTS IN TRUK AND
PALAU, INDEFINITE LAND USE AGREEMENT IN THE TT, JOB
OPPORTUNITIES FOR MORE THAN 1500 MICRONESIAN STUDENTS
STUDYING ABROAD, PRESENCE OF 3000 FOREIGN
LABORERS IN THE NMI. THE FRENCH NOTED THE REPEATED
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INTEREST OF THE TC IN HAVING THE USG GIVE
PREFERENTIAL TREATMENT TO MICRONESIAN EXPORTS AND SPECIFI-
CALLY MENTIONED TUNA. NEIMAN CRALEY, PRESIDENT
OF THE REFERENDUM BOARD GAVE A DETAILED RESPONSE AS TO
THE PROCEDURES ON THE DAY OF THE REFERENDUM AFTER FIRST
NOTING THAT THE ACTUAL RULES GOVERNING THE REFERENDUM

WERE PROMULGATED BY THE CONSTITUTIONAL REFERENDUM BOARD (CRB). HE ALSO EXPLAINED VOTER REGISTRATION PROCEDURES DESIGNED TO INSURE THAT ALL ELEGIBLE VOTERS WOULD HAVE AN OPPORTUNITY TO REGISTER AND VOTE AND EXPLAINED THE PROCEDURES FOR ABSENTEE BALLOTING.

9. AMBASSADOR ROSENBLATT RESPONDED THAT IF THE CONSTITUTION WERE REJECTED BY THE MARSHALL ISLANDS AND/OR PALAU, THE US WOULD CONTINUE TO NEGOTIATE WITH THE PRESENT NEGOTIATING ORGANIZATIONS. IF THE CONSTITUTION WERE TO BE FULLY REJECTED, THE US WOULD HAVE TO CONSULT WITH THE MICRONESIANS ON HOW THEY WOULD WANT TO CONTINUE THE NEGOTIATIONS. THE HICOM DEALT WITH THOSE QUESTIONS CONCERNING CONDITIONS IN THE TT AND SAID THE INCREASED CRIME RATE ON TRUK AND PALAU WAS OF CONCERN TO THE US, HE REVIEWED RECENT COM LEGISLATION AS WELL AS ACTION TAKEN BY THE INTERIOR DEPARTMENT TO IDENTIFY ALL OF THE LAND AGREEMENTS AND TO REVIEW AND RENEGOTIATE THEM. HE FELT THE MATTER WOULD BE RESOLVED BY EARLY 1980. ON THE STUDENT QUESTION HE SAID JOB OPPORTUNITIES WERE INCREASING AND THE PROBLEM WAS LESSENING. HE SAID THE US DID NOT GIVE PREFERENTIAL TREATMENT TO MICRONESIAN EXPORTS FOR A VARIETY OF REASONS HAVING TO DO WITH THE NEED FOR APPROVING LEGISLATION BY THE CONGRESS. HE NOTED THAT SINCE EARLY 1976 CERTAIN MICRONESIAN PRODUCTS HAVE QUALIFIED FOR GSP TREATMENT. PEDRO TENORIO, SPECIAL ADVISOR TO THE NMI SAID THE STATUS OF ALIENS ON NMI WAS THE RESULT OF SLOW ADMINISTRATIVE

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PROCEDURES AND NOT A LEGAL QUESTION. HE CITED PROGRAMS TO TRAIN NMI CITIZENS FOR JOBS NOW HELD BY ALIENS AND NOTED THAT THERE IS NO UNEMPLOYMENT IN THE NMI.

10. THE UK ASKED IF EITHER THE CONSTITUTION OR THE FREE ASSOCIATION POLITICAL STATUS WOULD TAKE EFFECT PRIOR TO TERMINATION, AND ABOUT SECURITY OF THE AMBASSADOR ROSENBLATT SAID THAT PRIOR TO TERMINATION THE CONSTITUTION WOULD TAKE EFFECT BY ITS TERMS ONLY TO THE EXTENT IT WAS NOT INCONSISTENT WITH THE TRUSTEESHIP AGREEMENT AND THAT WHILE WE EXPECTED THE FREE ASSOCIATION AGREEMENT WOULD BE SIGNED PRIOR TO TERMINATION, IT WOULD COME INTO EFFECT ONLY UPON TERMINATION. CRALEY ASSURED HIM THAT EVERY EFFORT WOULD BE MADE TO SAFEGUARD THE INTEGRITY OF THE BALLOTING.

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11. IN RESPONSE TO A UK QUERY, THE HICOM AGREED WITH SENATOR OLTER'S STATEMENT THAT THE PRESENT COMPUTERIZED CONTROL SYSTEM IS UNNECESSARILY COSTLY, LARGE AND COMPLEX, AND NOTED THAT INTERIOR IS REVIEWING THE QUESTION.

12. THE HICOM RESPONDED TO A UK QUESTION ON WAR CLAIMS (SEPTCL) BY REVIEWING ALL PAYMENTS TO DATE UNDER BOTH TITLES I AND II. HE NOTED CONGRESSIONAL AUTHORIZATION FOR FULL PAYMENT OF TITLE II CLAIMS AND INDICATIONS OF HOUSE APPROVAL OF THE APPROPRIATION. YOUNG

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